

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

**CALEB L MCGILLVARY,**

**Plaintiff,**

**v.**

**JAMES GALFY, et al.,**

**Defendants.**

**Civil Action No. 21-17121 (MCA)**

**ORDER**

This matter comes before the Court on the Third Circuit's Order, dated October 12, 2023, which dismissed Plaintiff Caleb McGillvary's appeal for lack of appellate jurisdiction. (ECF No. 86.) The Third Circuit determined that this Court's Order dated July 28, 2022, which granted Defendants' motions to dismiss, did not dispose of all claims and defendants.<sup>1</sup>

**IT IS, THEREFORE,** on this 18 day of January 2024,

**ORDERED** that the Clerk of the Court shall mark this matter as **OPEN** in light of the Third Circuit's Order dated October 12, 2023 (ECF No. 86); and it is further

**ORDERED** that the Clerk of the Court shall send a copy of this Order to Plaintiff at the address on file.

**/s Madeline Cox Arleo**

**Hon. Madeline Cox Arleo**

**UNITED STATES DISTRICT JUDGE**

<sup>1</sup> The Third Circuit noted that there were cross-claims still pending in the case. The circuit court also construed Plaintiff to raise separate claims against the Estate of Galfy, which were not resolved by the Court's Order granting the motion to dismiss.